

5/21/06



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Ching Huei WU et al. Confirmation No: 5344  
Appl. No. : 10/648,336  
Filed : August 27, 2003  
Title : Panel For Organic Electroluminescent Device Having Integrated Circuit, Film and Printed Circuit Board

TC/A.U. : 2879  
Examiner : B. Won

Docket No.: : WUCH3033/REF  
Customer No: : 23364

**REQUEST FOR RECONSIDERATION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action of March 1, 2006, in connection with the above-identified application.

The rejection of claims 1-4, 6-8, 10-13, 15-16, 18-20 and 22 under 35 U.S.C. §103(a) as being unpatentable over Hinata et al. (US Pat. App. 2002/0118325) in view of Endo et al. (US Pat. No. 6,507,384) and Lu et al. (US Pat. No. 6,559,604) has been carefully considered but is most respectfully traversed in light of the following comments.

Applicants wish to direct the Examiner's attention to the basic requirements of a prima facie case of obviousness as set forth in the MPEP § 2143. This section states that to establish a prima facie case of obviousness, three basic criteria first must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

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The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Section 2143.03 states that all claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Applicants also note MPEP §2143.01, which states in part that, if a proposed modification would render the prior art invention unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Applicants also most respectfully direct the Examiner's attention to MPEP § 2144.08 (page 2100-114) wherein it is stated that Office personnel should consider all rebuttal argument and evidence presented by applicant and the citation of In re Soni for error in not considering evidence presented in the specification.

With respect to independent claims 1 and 10, the Official Action urges that Hinata discloses a liquid crystal panel device comprising all of the features recited in the present claims. However, the Official Action acknowledges that Hinata does not disclose using the structure in an electroluminescent display device and therefore does not disclose an organic electroluminescent medium as recited in the instant claims. In order to accommodate for this deficiency, the Official Action first notes that it is well known in the display device art that the basic panel structure of LCD and OLED are the same except for the light emitting layers are different and LCD uses a liquid crystal layer while OLED uses an organic electroluminescent layer. Further, the Official Action urges that Endo discloses at col. 1, lines 8-10, that liquid crystal display and organic electroluminescent display are interchangeable. In light of this, the Official Action urges that it would have been obvious to substitute the electroluminescent layer disclosed in

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Lu for the liquid crystal layer used in the invention of Hinata. Applicants respectfully traverse these statements.

First, Applicants note the portion of Endo which is cited in support for the position that LCD and OLED are interchangeable. The exact language used at col. 1, lines 8-10 is "[t]he present invention relates to an electro-optical device, such as a liquid crystal display or an EL (electroluminescent) electro-optical device." Applicants fail to see how this innocuous statement can be interpreted to mean that LCD and OLED are interchangeable as suggested in the Official Action. Clearly, such a statement falls well short of disclosing that OLED and LCD are interchangeable. No exact statement is made as to the interchangeability of LCD and OLED. In fact, the word "interchangeable" is not even used in the cited portion of Endo. Rather, the Official Action has taken a strained interpretation of an extremely general statement. In light of this, Applicants respectfully submit that the Official Action has failed to carry the burden of showing that OLED and LCD are interchangeable, which therefore undercuts the position taken in the Official Action that it would have been obvious to remove the liquid crystal layer of an LCD and replace it with a organic electroluminescent layer. Accordingly, Applicants respectfully submit that a §103(a) rejection according to the guidelines set forth in MPEP §2143 has not been established and the rejection should therefore be withdrawn.

In light of the fact that Endo does not provide the motivation urged in the Official Action, i.e., that LCD and OLED are interchangeable, the disclosure in Lu of an OLED device with an organic electroluminescent layer cannot properly be combined with the LCD device with a liquid crystal display layer disclosed in Hinata to establish a §103(a) rejection according to the guidelines set forth in MPEP §2143.

Further, Applicants note that, although it may be possible to drive an OLED with the driving circuit of an LCD device, there is no advantage to doing so and therefore no motivation in the art to make such a modification. Thus, the driving circuit of the present application is advantageous over that of the cited prior art references.

For example, the invention of the instant application is advantageous over the prior art in that the layout of the device can be low. This, in turn, means the blind edge

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can be smaller. Additionally, the resistance uniformity is better in the present invention. The devices disclosed in the prior art do not have these advantages, and therefore the OLED panel of the instant invention is further distinguished over the prior art.

In light of the preceding comments, Applicants respectfully submit that no combination of Hinata, Endo and Lu can properly establish a §103(a) rejection according to the guidelines set forth in MPEP §2143 and therefore respectfully request that the rejection be withdrawn.

Claims 2-4, 6-8, 11-13, 15-16, 18-20 and 22 all depend either directly or indirectly on claims 1 and 10 and therefore incorporate all of the limitations of claims 1 and 10. As discussed above, the reference of record fail to establish a proper §103(a) rejection of claims 1 and 10. Therefore, Applicants respectfully submit that claims 2-4, 6-8, 11-13, 15-16, 18-20 and 22 are patentable over the reference or record as well. Accordingly, Applicants respectfully request that the rejection of these claims be withdrawn.

The rejection of claims 5 and 17 under 35 U.S.C. §103(a) as being unpatentable over Hinata in view of Endo, Lu and Hsieh (US Pat. App. 2002/0177249), the rejection of claims 9 and 21 under 35 U.S.C. §103(a) as being unpatentable over Hinata in view of Endo, Lu and Ogura (US Pat. No. 6,924,594), the rejection of claim 14 under 35 U.S.C. §103(a) as being unpatentable over Hinata in view of Endo, Lu and Holland (US Pat. No. 4,217,020), the rejection of claim 23 under 35 U.S.C. §103(a) as being unpatentable over Hinata in view of Endo, Lu and Kawaguchi (US Pat. No. 2002/0118325), and the rejection of claims 24 and 25 under 35 U.S.C. §103(a) as being unpatentable over Hinata in view of Endo, Lu and Katsumata (US Pat. No. 6,826,016) have each been carefully considered but are most respectfully traversed in light of the amendments to the claims and the following comments.

As explained in detail above, the combination of Hinata, Endo and Lu fails to properly establish a §103(a) rejection of claims 1 and 10 according to the guidelines set forth in MPEP §2143. Therefore, claims 1 and 10 are allowable over all the references of record. Further, Applicants respectfully submit that none of the secondary references

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relied upon in the rejections of claims 5, 9, 14, 17, 21 and 23-25 remedy the deficiencies identified above. Therefore, because claims 5, 9, 14, 17, 21 and 23-25 each depend from either claim 1 or 10, and because none of the cited prior art references, either standing alone or when combined, disclose or suggest every element of present claims 1 and/or 10, Applicants respectfully submit that all of these claims are also allowable over the references of record. Accordingly, Applicants respectfully request that the §103(a) rejection of these claims be withdrawn.

In view of the above comments, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

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